

Attorney's Docket: 2002DE143
Serial No.: 10/539,033
Group: 1755

REMARKS

The Office Action mailed September 25, 2007, has been carefully considered together with each of the references cited therein. The amendments and remarks presented herein are believed to be fully responsive to the Office Action. The amendments made herein are fully supported by the application as originally filed. No new matter has been added. Accordingly, reconsideration of the present Application in view of the above amendments and following remarks is respectfully requested.

CLAIM STATUS

Claims 1-24 are pending in this Application. By this Amendment, independent claim 1 has been amended, while claims 20-24 have been cancelled.

Specification

The Abstract is objected to because it is not proper to use underlining when submitting a new abstract. Attached hereto is a clean copy of the abstract which is free of underlining.

Claim Rejections Under 35 USC § 102 and §103

The Office has lodged a number of rejections under 35 USC § 102/103 of claims 20-24. Such rejections are present in Paragraph 5-13 of the Office Action. These rejections are respectfully overcome as claims 20-24 have been cancelled by the present Amendment.

Claim Rejections Under 35 USC § 112, Second Paragraph

Claims 1-24 stand rejected under 35 USC § 112, second paragraph as being indefinite.

Attorney's Docket: 2002DE143
Serial No.: 10/539,033
Group: 1755

Specifically, the Office finds the phrase "elevated temperature" in claim 1 to be a relative term. Applicants have eliminated the word "elevated" so the phrase now reads "at a temperature between 50 and 250°C. Basis for this amendment maybe found, *inter alia*, on page 10, line 5.

The Office finds that the phrase "the weight ratio" lacks antecedent basis in claim 6. Claim 6 has been amended to read "wherein the water and organic solvent have a weight ratio and wherein the weight ratio of water to organic solvent is 5:95 to 95:5".

In claim 9, the Office finds indefinite a broad range of limitation together with a narrow range of limitation that falls within the broad range or limitation. Claim 9 has been amended removing the preferable clauses from the definition of H.

The Office also finds "high molecular weight organic material" relative in claim 23. Claim 23 has been cancelled.

Double Patenting

Claims 20-24 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over allowed claims of copending Application No. 10/539,034. With the cancellation of claims 20-24 it is respectfully contended that the double patenting rejection has been overcome.

Attorney's Docket: 2002DE143
Serial No.: 10/539,033
Group: 1755

In view of the forgoing amendments and remarks, the present Application is believed to be in condition for allowance, and reconsideration of it is requested. If the Examiner disagrees, he is requested to contact the attorney for Applicants at the telephone number provided below.

Respectfully submitted,

Anthony A. Bisulca

Anthony A. Bisulca
Attorney for Applicant
Registration No. 40,913

(CUSTOMER NUMBER 25,255)

Clariant Corporation
Industrial Property Department
4000 Monroe Road
Charlotte, North Carolina 28205
Phone: (704) 331-7151
Fax: (704) 331-7707